

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

UNITED STATES OF AMERICA)	
)	
Plaintiff,)	
v.)	Criminal No. 05-10021-NMG
)	
SHIH-MING SHIUE,)	
)	
Defendant.)	

**PETITION REQUESTING A HEARING TO ADJUDICATE
VALIDITY OF THE INTEREST OF SIAW JIN CHOO SHIUE
IN 41 FAIRBANKS ROAD, LEXINGTON, MA**

Now comes Siaw Jin Choo Shiue, the petitioner, and files this petition, pursuant to 21 U.S.C. §853(n)(2), requesting a hearing to adjudicate the validity of her right, title, or interest in 41 Fairbanks Road, Lexington, MA – the so-called “41 Fairbanks Road Property.” Petitioner is the spouse of the above-mentioned defendant, Shih-Ming Shiue, has reviewed the Court’s Preliminary Order of Forfeiture, dated February 13, 2006, and is familiar with the allegations made in the Preliminary Order of Forfeiture and, generally, these proceedings.

1. On or about March 26, 1983, the petitioner and defendant legally married in Medford, Massachusetts.
2. On or about May 1, 1990, petitioner and defendant purchased the 41 Fairbanks Road Property as “tenants by the entirety.”¹ The same day, a deed evidencing the purchase of the 41 Fairbanks Road Property, as well as petitioner and defendant’s ownership status as “tenants by the entirety,” was recorded with the Registry of Deeds in Middlesex County. (*A copy of*

¹ At the time of purchase, the 41 Fairbanks Road Property was actually listed as “47” Fairbanks Road.

the deed/transfer certificate of title for the 41 Fairbanks Road Property is attached as Exhibit A.)

3. As of this writing, petitioner and defendant still own the 41 Fairbanks Road Property and in the same capacity as “tenants by the entirety.”
4. Petitioner certifies that she has reviewed this petition and states that the facts contained herein are true.

Signed under the penalty of perjury.

Dated: August 30, 2006

s/ Siaw Jin Choo Shiue
Siaw Jin Choo Shiue

Respectfully submitted,

SIAW JIN CHOO SHIUE
by her attorney,

s/ Robert L. Peabody
Robert L. Peabody
BBO No. 551936
Nystrom, Beckman, & Paris
10 St. James Avenue, 16th floor
Boston, MA 02116
617 778-9103

Dated: August 30, 2006

From Transfer Certificate No. 105040 in Registration Book 655, Page 90
Originally Registered July 10, 1961 for the South Registry District of
Middlesex County

This is to Certify that

Shih Ming Shihue and Siaw Jin Choo Shihue
of Winchester in the County of Middlesex and Commonwealth of Massachusetts
married to each other, are the owners in fee simple, as tenants by the entirety
of that certain parcel of land situate in Lexington
in the County of Middlesex and said Commonwealth, described as follows:

Southwesterly by the Northeasterly line of Fairbanks Road,
being a curving line, one hundred and twenty-five feet;
Northwesterly by lot 332 as shown on plan hereinafter mentioned,
one hundred and twenty-five feet;
Northeasterly by lot I on said plan, two hundred ninety-four
and 03/100 feet; and
Southerly by lot 340 on said plan, two hundred thirty-six
and 65/100 feet.

Said parcel is shown as lot 333 on said plan, (Plan No. 6962-15).

All of said boundaries are determined by the Court to be located as shown on
a subdivision plan, as approved by the Court, filed in the Land Registration
Office, a copy of which is filed in the Registry of Deeds for the South
Registry District of Middlesex County in Registration Book 563, Page 107, with
Certificate 86657.

The above described land is subject to a Grant of Easement from Joseph P.
Spinelli et al, Trustees to New England Telephone and Telegraph Company and
Boston Edison Company, Document 302441.

Together with the right to pass and repass on Fairbanks Road, Tufts Road and
any other roads that may be constructed on lands of Joseph P. Spinelli et al,
Trustees, for all purposes as streets are commonly used, set forth in Document
367931.

And it is further certified that said land is under the operation and
provisions of Chapter 185 of the General Laws and any amendments thereto, and
that the title of said

Shih Ming Shihue and Siaw Jin Choo Shihue

to said land is registered under said Chapter subject, however, to any of the
encumbrances mentioned in Section forty-six of said Chapter, and any
amendments thereto, which may be subsisting, and subject also as aforesaid.

Witness MARILYN M. SULLIVAN, Chief Justice of the Land Court, Department
of the Trial Court, at Cambridge in said County of Middlesex

the first day of May the year nineteen hundred and ninety
at 2 o'clock and 7 minutes in the after-noon.

Attest, with the Seal of said Court,

Assistant Recorder

Address of owners: 47 Fairbanks Road, Lexington, MA 02173

Land Court Case No. 6962

ID# 1104

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